MR. SPEAKER.—The question is:-

"That the Karnataka Silkworm Seed and Cocoon (Regulation of Production, Supply and Distribution) (Amendment) Bill, as amended, be passed."

The motion was adopted and the Bill as amended was passed.

ಶ್ರೀ ಆರ್. ಗುಂಡೂರಾವ್.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಸಭೆಯಲ್ಲಿ ಮುಂದಿನ ಬಿಲ್ಲನ್ನು ಪ್ರಾಯೋ ಮಾಡುವುದಕ್ಕಿಂತ ಮುಂಚೆ ನಾನು ಒಂದು ಮಾತನ್ನು ತಮ್ಮ ಗಮನಕ್ಕೆ ತರಬಯಸುತ್ತೇನೆ. ಆ ಬಿಲ್‌ನಲ್ಲಿ ರಜದ ವಿಚಾರವನ್ನು ಸೇರಿಸಿದ್ದಾರೆ. ಆ ವಿಷಯ ಈಗಾಗಲೇ ಹೈಕೋರ್ಟಿಗೆ ಹೋಗಿ ಹೈಕೋರ್ಟ್ ಮುಂದೆ ಆ ವಿಷಯ ಇದೆ. ಆದ್ದರಿಂದ ಅದು ಹೈಕೋರ್ಟ್‌ನಲ್ಲಿ ತೀರ್ಮಾನವಾದ ಮೇಲೆ ಈ ಬಿಲ್ಲನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದು ಒಳ್ಳೆಯದು ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

6-30 P.M.

THE BANGALORE CITY CIVIL COURT BILL, 1979.

Motin to consider.

SRI L. G. HAVANUR (Minister for Law, Social Welfare and Backward Classes).— Sir, I move-

"That the Bangalore City Civil Court Bill, 1979, be taken into consideration."

The question was proposed.

SRI L. G. HAVANUR.— Sir, in the history of Karnataka Judiciary, I think, this a very important milestone in that in the City of Bangalore there are about four types of courts, one above the other and from the lowest court an appeal is provided to the civil court, from the civil court either to the district court or to the high court as the case may be. Thisis not a novel idea that we have introduced because in most of the Metropolitan Cities of India similar type of courts have been established. By this, much of the litigation would be reduced or rather I should say the multiplicity of the proceedings would be reduced, appeals would be reduced and the cost of litigation would also be reduced. This helps in the quick disposal of cases and also relieve the financial burden on the poor litigants as a result of the number of courts to which a case has to pass through.

The number of courts and the types of courts that are presently functioning in the City of Bangalore are: there are 8 Munsiffs' courts 13 civil judges' courts and district court functioning. Presently we are establishing only one court called the City Civil Court of Bangalore. The courts of Munsiffs and the courts of civil judges would be abolished and only one appeal has been provided from the City Civil Court to the High Court. Hitherto, as I said before, in view of

the hierarchy of four types of courts in existence in the City of Bangalore, there were about 30,000 cases pending in various at different stages. By providing only one appeal, we would be reducing the number of cases that are now pending in the various courts and consequently the delay also would be reduced. So, in my opinion this is one of the most important measures the Government has taken. The only objection as could be gathered from what the Hon. Leader of the Opposition Sri Gundu Rao said and also what hon. member Sri Lakshmisagar was about to say, was that by this Bill we have reduced the number of vacation days from 60 to 30 days. In the ordinance that was promulgated. I think last month, we had totally abolished the vacation : the vacation being 60days under the old Law, by this enactment the Civil Court in the City will have only 30days vacationHere again the Law Commission had recommeded that so far as the subordinate judiciary was concerned, there was no need for vacation because the subordinate officers of the judiciary were enjoying various kinds of leave like earned leave, Sundays, Saturdays and the like and to reduce the pendency of the arrears, the Law Commission had remmended for abolition of vacation. In consonance with the reco-Amendation of the Law Commission, the Ordinance had totally removed the vaction. Subsequently, when the Ordinance was promulgated, some representations were received not from the members of the public but from the members of the bar and there also the opinion was rathere mixed one, some saying that it was a good thing that by the Ordinance the vacation has been totally abolished, some saying that it should be reintroduced, sime saying that the vacation should be confined to 30 days, some to four weeks and so on. Now after considerIng those representations, we have thought it fit that instead of totally abolishing the vacation, the Bill provides for 30 days vacation spread over in three durations, one, Dasara, second winter and third summer vacation; how many days vacation should be given during Dasara or winter or summer is left to the discretion of the High Court and the High Court will determine the number of days under different categories This measure had been welcomed to a great exent and by large number of persons including some of the members of the judiciary. Hence, I commend this Bill to this Hon. House.

SRI Y. RAMAKRISHNA.—Why not provision be made for a second appeal on the point of law ?

SRI L. G. HAVANUR.—Since there is only one appeal to the High Court, the High Court will enter into questions of fact as well. Hence there is no need for either the clients or the lawyers to be apprehensive about the restricted scope of this appeal. Since we have a right of appeal, I believe, the impression that is being entertained by some

of the Advocates or some of the litigant public that the High Court will enter into only question of law may not be correct and the High Court will enter into the question of both law and facts.

† SRI LAKSHMISAGAR.—I should like to know from the Hon. Minister why the Ordinance provided for the total abolition of holidays for the civil courts. Now in the Bill That is supplied to us, the Minister has made a confession that the total period of 60 days is reduced to 30 days. So far so good. He has made another observation that the representation of lawyers were mixed. If I may say so,never before the lawyers were so unanimous as they were on this that the Government should not tamper with the question of vacation for the civil courts

Under the Constitution the State Government cannot interfere with the vacation of the High Court. They cannot touch on the subject and there cannot be discrimination. In the original Act, the Civil Courts Act of 1964, it provide for 60 days and the High Court shall fix the period for each vacation. I must say tha the Lawyers are almost unanimous on the retention of 60 dayt vacation so far as the Civil Courts are concerned. In the meanwhile 3 Advocates have challenged the constitutional validity of the question on the abolition of vacation under Articles 335 of the Constitution. The High Court was about to grant a stay of operation of this particuliar clause for abolition of holidays. But in meanwhile the Adovocate General on a notice from the High Court was requested to make his statement on behalf of the Government, He gave an undertaking before the High Court that during this year, the vacation will not be disturbed, This is the actual state of affairs. What view the High Court of Karnataka would be taking on this matter, we do not know. Therefore, my submission to you is that this aspect of the Bill will be deleted, This may be deleted pending decision of the High Court on this matter for the present. My further submission is if we go ahead with the Bill the matter becomes *sub judice*. Nothing would be lost if yon delete this clause for the present. I earnestly appeal to the Hon'ble Law Minister that this aspect of the matter may be kept pending till the decision of the High Court is rendered. In the meanwhile consultations may be had between the Government and the High Court for the regulation of the period of the vacation. This could be done without voilating the rules and regulations prescribed under the law. The Government Counsel, I presume, will agree for this arrangement. Therefore, this arrangement would set at rest so many controversies among the members of the Bar. I was also in agreement with the original Ordinance for total abolition

of vacation. But affer having discussion with the friends of mine and after having read some representations from the brother members of the Bar, outside Bangalore, I am convinced that they have got a strong case Therefore it is better to leave the matter alone for negotiation and let us not hurry up the case in the High Court. My earnest appeal to the Hon'ble Minister is that he should please delay the matter for the present. After going through all the process of law discussion with the people concerned it can be done according to the convenience. After it is done in a methodical way, it would be a welcome measure for the Civil Courts for City of Bangalore, though it would be belated. This measur has been it practice in the metropolitan cities of the Country for a long time and it is functioning successfully. Taking into consideration the number of cases pending in the Courts, and the convenience of the Courts, the decision could be taken in a manner that would satisfy all classes of sections. Of-course there is a loud complaint about the pendency of the cases. It it necessary that pendency of the cases should be reduced. Nobody would come in the way of clearing the cases. If a decision is taken in an advantageous manner taking into consideration the principle behind it, it would be useful to the litigants and others connected with litigation. With this submission I once again appeal to the Hon'ble Minister for Law, to drop the passing of the Bill.

SRI V.M. KUSNOOR—The point before the House is about reducing the number of holidays to 30. There is no other question excepting this. The Bill is not coming in the way of deciding the Writ Petitions and all that. There is no question of Writ Petitions before the High Court becoming infructuous.

SRI A. LAKSHMISAGAR—Irrespective of the decision from the Supreme Court in this matter, a decision will have to be taken in the matter early.

SRI V.M. KUSNOOR—Let the Court decide whether the amendment is unconstitutional, and illegal It cannot be questioned at this stage when something is pending before the High Court There are large number of people involved in the litigation in the Courts and they are complaining that the cases are being delayed and there are 30,000 cases pending. They are of the opinion that the vacation could be abolished once and for all by the Legislature so that the pendency of the cases could be reduced. There are Advocates who do not want to work during that period. There are a few other Advocates who are in favour of this amendment. But the people are in favour of speedy justification. Therefore in the interest of

the litigant people, decision in the regard will have to be taken, but not in the interest of a few Advocates. Why do they want vacation, I do not understand. The people are not interested whether there is vacation or not, but they are interested in the quick disposal of the cases. The Legislators are elected by the people and they are bound to carry out the wishes of the people. This is the actual position, and I am going to support this Bill.

ಶ್ರೀ ಎಚ್. ಗಂಗಾಧರನ್ (ಕೃಷ್ಣರಾಜ)—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವುದಕ್ಕೆ ಎರಡು ಪ್ರಮುಖ ಕಾರಣಗಳನ್ನು ಮಾನ್ಯ ಸಚಿವರು ಕೊಟ್ಟಿದ್ದಾರೆ. ಅವು ಯಾವುವೆಂದರೆ : minimise the delay and reduce the cost of litigation. ನಿಜವಾಗಲೂ ಈ ಮಸೂದೆಯನ್ನು ಜನತೆಯ ಹಿತದೃಷ್ಟಿಯಿಂದ ತಂದಿದ್ದೇವೆ ಎನ್ನುವ ಭಾವನೆ ಮಾನ್ಯ ಸಚಿವರಿಗಿರುವುದಾದರೆ ಬೆಂಗಳೂರು ಜನತೆಗೆ ಮಾತ್ರ ಏತಕ್ಕೆ ಇದನ್ನು ಅನ್ವಯಿಸಲಾಗಿದೆ ? ಬೆಂಗಳೂರಿನ ನಾಗರೀಕರಿಗೆ ಮಾತ್ರ ಅನುಕೂಲ ಮಾಡಿಕೊಡಬೇಕೆಂದೆ ? ಬೆಂಗಳೂರಿನ ನಗರದಲ್ಲಿ ಪಾತ್ರವೇ ಲಿಟಿಗೆಂಟ್ಸ್ ಇರುವುದು ? ಕರ್ನಾಟಕದ ಇತರ ಭಾಗಗಳಲ್ಲಿ ಸಾವಿರಾರು ಜನ ಲಿಟಿಗೆಂಟ್ಸ್ ಇದ್ದಾರೆ, ಅವರಿಗೆಲ್ಲ ಅನ್ವಯಿಸುವಂತೆ ಈ ಮಸೂದೆಯನ್ನು ಏತಕ್ಕೆ ತರಲಿಲ್ಲ ? ಅದುದರಿಂದ, ಇದರಲ್ಲೇನೋ ದುರುದ್ದೇಶವಿದೆ ಎಂದು ವ್ಯಕ್ತವಾಗುತ್ತದೆ.

ಇನ್ನು, ರಜಾ ಕೊಡದೆ ಹೋದಲೆ ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ಆಗುತ್ತದೆಂದು ಮಾನ್ಯ ಸಚಿವರು ತಿಳಿದುಕೊಂಡಿದ್ದರೆ, ಅದು ತಪ್ಪು ಭಾವನೆಯಾಗುತ್ತದೆ. ಮಾನ್ಯ ಸಚಿವರು ವಕೀಲರಾಗಿ ಪ್ರಾಕ್ಟೀಸ್ ಮಾಡಿದ್ದರೆ, ಅವರಲ್ಲಿ ಈ ಭಾವನೆ ಬರುತ್ತಿರಲಿಲ್ಲ. ನೀವು ರಜಾ ಕೊಡದಿದ್ದರೂ, ನ್ಯಾಯವಾದಿ ಮನಸ್ಸು ಮಾಡಿದರೆ ಕೇಸನ್ನು ಡಿಲೇ ಮಾಡುವುದಕ್ಕೆ ಅವನಿಗೆ ಬರುತ್ತದೆ, ಒಂದು ಗಂಟೆ ಮಾಡುವ ಕ್ರಾಸ್ ಎಕ್ಸಾಮಿನೇಷನ್ ಒಂದೂವರೆ ದಿವಸ ಮಾಡುವುದಕ್ಕೆ ನ್ಯಾಯವಾದಿಗೆ ಬರುತ್ತದೆ. ಪ್ರಾಕ್ಟೀಸ್ ಮಾಡುವ ವಕೀಲ ದಿನದಲ್ಲಿ ಸುಮಾರು ಹದಿನೆಂಟು ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸ ಮಾಡಬೇಕಾಗುತ್ತದೆ, ನ್ಯಾಯಾಧೀಶರೂ ಸಹ ಆಷ್ಟೇ ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಬೇರೆ ಯಾವ ಇಲಾಖೆಯಲ್ಲೂ ಹದಿನೆಂಟು ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸ ಮಾಡದಿದ್ದರೂ, ಇದರಲ್ಲಿ ಮಾತ್ರ ಆಷ್ಟು ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸ ಮಾಡಲೇಬೇಕಾಗುತ್ತದೆ. ಬೆಳಿಗ್ಗೆಯಿಂದ ಸಂಜೆವರೆಗೆ ಕೋರ್ಟಿನಲ್ಲಿ ವಾದ ಮಾಡುವ ವಕೀಲ ಮನೆಯಲ್ಲಿ ರಾತ್ರಿಯತನಕ ಕೇಸುಗಳನ್ನು ಅಭ್ಯಾಸ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಅಂತೆಯೇ ನ್ಯಾಯಾಧೀಶರು ಕೂಡ ಕೇಸುಗಳನ್ನು ಮನೆಯಲ್ಲಿ ಅಭ್ಯಾಸ ಮಾಡಬೇಕು, ತೀರ್ಪುಗಳನ್ನು ಬರೆಯಬೇಕು. ಹೀಗೆಲ್ಲ ಅವರು ರಾತ್ರಿ ಹೊತ್ತು ಕೆಲಸ ಮಾಡುವುದರಿಂದ ಅವರಿಗೆ ಕೇಸುಗಳನ್ನು ಡಿಲೇ ಮಾಡುವ ಉದ್ದೇಶವಿರುವುದಿಲ್ಲ. ಆದರೆ, ತಾವು ಹಾಗೆ ತಿಳಿದುಕೊಂಡಿದ್ದರೆ, ಅದು ತಪ್ಪು ಅಭಿಪ್ರಾಯವಾಗುತ್ತದೆ. ಅಲ್ಲಿಹೆ ಕೋರ್ಟುಗಳನ್ನು ರೆಡ್ಯೂಸ್ ಮಾಡಿದರೆ ಸ್ಪೀಡಿಸಿ ಜಸ್ಟೀಸ್ ದೊರೆಯುವುದಿಲ್ಲ. ಮೊದಲು ನಾವು ಅನುಸರಿಸುವ ಪ್ರೊಸೀಜರನ್ನು ಬದಲಾಯಿಸಬೇಕು. ಎವಿಡೆನ್ಸ್ ಆಕ್ಟ್ ಮೊದಲು ಯಾವ ರೀತಿ ಇತ್ತೋ ಈಗಲೂ ಹಾಗೆಯೇ ಇದೆ. ಒಂದು ಡಾಕ್ಯುಮೆಂಟಿಗೆ ಹನ್ನೆರಡು ಜನ ಸಾಕ್ಷಿ ಕೊಡಬೇಕಾಗುತ್ತದೆ. ಆದುದರಿಂದ, ಪ್ರೊಸೀಜರನ್ನು ಬದಲಾವಣೆ ಮಾಡದ ಹೊರತು ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ಆಗುವುದಿಲ್ಲ. ಬೆಂಗಳೂರು ನಗರದಲ್ಲಿ ಬರುವ ರೆಂಟ್ ಕಂಟ್ರೋಲ್ ಆಕ್ಟ್‌ಗೆ ಸಂಬಂಧಿಸಿದ ಕೇಸುಗಳು ಡಿಲೇ ಆಗುವುದು ವಕೀಲರಿಂದಲ್ಲ, ನ್ಯಾಯಾಧೀಶರಿಂದಲ್ಲ ಮತ್ತು ನ್ಯಾಯಾಲಯಗಳಿಂದಲ್ಲ. ಆದರೆ ಕೇಸುಗಳು ಡಿಲೇ ಆಗುವುದು ನೀವು ಮಾಡುವ ಗೊಂದಲಮಯಿ ಕಾನೂನುಗಳಿಂದ ಎಂದು ನಾನು ಹೇಳಬೇಕಾಗಿದೆ. ಒಂದಿಷ್ಟೂ ಅರ್ಥವಿಲ್ಲದ ಕಲಂಗಳನ್ನೂ ಮತ್ತು ಅಸಂಬದ್ಧ ಕಾನೂನುಗಳನ್ನು ಜಾರಿಗೆ ಕೊಡುತ್ತಿರುವುದರಿಂದ ಡಿಲೇ ಆಗುತ್ತಿದೆ. ರೆಂಟ್ ಕಂಟ್ರೋಲ್ ಆಕ್ಟ್‌ನ್ನು ಸುಲಭವಾಗಿ ಮತ್ತು ಸರಳವಾಗಿ ಮಾಡುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲವೆ ! ಹಾಗೆಯೇ ಲ್ಯಾಂಡ್ ಅಕ್ವಿಸಿಷನ್ ಆಕ್ಟ್ ಕೂಡ ಇದೆ. ಅಲ್ಲಿ ಸಾಮಾನ್ಯ ಜನರಿಗೆ ಅರ್ಥವಾಗುವ ಹಾಗೆ ಸುಲಭವಾಗಿ ಕಲಂಗಳನ್ನು ಇಟ್ಟಿದ್ದರೆ ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ದೊರೆಯುವುದರಲ್ಲಿ ತೊಂದರೆಯಾಗುತ್ತಿರಲಿಲ್ಲ. ಅದು ಬಿಟ್ಟು ನ್ಯಾಯಾಲಯಗಳನ್ನು ಕಡಿಮೆ ಮಾಡಿದರೆ ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ಆಗುತ್ತದೆ ಎನ್ನುವ ಹಾಗೆ ಒಪ್ಪತಕ್ಕದ್ದಲ್ಲ.

ಆದುದರಿಂದ ಈ ಮಸೂದೆಯನ್ನು ತರುವುದಾದರೆ ಇಡೀ ರಾಜ್ಯಕ್ಕೇ ಅನ್ವಯಿಸುವ ಹಾಗೆ ತನ್ನಿ. ಬೆಂಗಳೂರು ನಗರಕ್ಕೆ ಮಾತ್ರ ಇದನ್ನು ಮಾಡಿಕೊಂಡರೆ ಬೆಂಗಳೂರು ನಗರದ ಶ್ರೀಮಂತರಿಗೆ ಸಹಾಯ ಮಾಡುವುದಕ್ಕೆ ಇದು ಸಹಾಯವಾಗುತ್ತದೆಯೇ ಹೊರತು ಬುತ್ತಿ ಕಟ್ಟಿಕೊಂಡು ಹಳ್ಳಿಗಾಡುಗಳಿಂದ ಬರುವ ಲಿಟಿಗೆಂಟ್ಸ್‌ಗೆ ಯಾವ ಅನುಕೂಲವೂ ಆಗುವುದಿಲ್ಲ. ಬರೀ ಬೆಂಗಳೂರು ನಗರಕ್ಕೆ ಸೀಮಿತವಾಗುವ ಈ ಮಸೂದೆಯನ್ನು ತರಲು ಇಷ್ಟೊಂದು ಆತುರವೇನು ?

ಇನ್ನು, ರಜಾ ತೆಗೆದರೆ ಕೆಲಸವಾಗುತ್ತದೆ ಎನ್ನುವುದು ಹುಚ್ಚು ಕಲ್ಪನೆಯಾಗುತ್ತದೆ. ಅದರಿಂದ ಏನನ್ನೂ ಸಾಧನೆ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ರಜಾವನ್ನು ಉಪಯೋಗಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ವಕೀಲರಿಗೆ ಬರುತ್ತದೆ. ವಕೀಲರು ಮತ್ತು ನ್ಯಾಯಾಧೀಶರು ಪಾಮೀಲಾಗಿ ಕೇಸನ್ನು ಇತ್ಯರ್ಥ ಮಾಡದೆ ಮುಂದೂಡುತ್ತಿದ್ದರೆ, ನೀವು ರಜಾ ಕೊಡದಿದ್ದರೂ ಏನು ಬಂತು ? ವರ್ಷದಲ್ಲಿ ಹದಿನೈದು–ಇಪ್ಪತ್ತು ದಿವಸ ವಕೀಲರು ಅಥವಾ ನ್ಯಾಯಾಧೀಶರು ಎಲ್ಲೂ ಹೊರಗಡೆ ಪ್ರವಾಸ ಹೋಗಬಾರದೇನು ? ಅವರಿಗೇನು ಹೆಂಡತಿ ಮಕ್ಕಳು ಇರುವುದಿಲ್ಲವೆ ? ಎಲ್ಲ ವಕೀಲರು ಮತ್ತು ನ್ಯಾಯಾಧೀಶರು ನಮ್ಮ ಮಾನ್ಯ ಲಕ್ಷ್ಮಿ ಸಾಗರ್ ಮತ್ತು ಪ್ರಮೀಳಾ ಅವರುಗಳು ಇದ್ದ ಹಾಗೆ ಇರುತ್ತಾರೇನು ? ಅವರೇನು ಕಂಟುಂಬ ಸಮೇತ ಪ್ರವಾಸ ಹೋಗಬಾರದೇನು ?

ಶ್ರೀಮತಿ ಪ್ರಮೀಳಾ—ಮದುವೆಯಾಗದೆ ಇರುವವರೆಲ್ಲ ''ಪಾಪ'' ಎಂದು ಇವರೆಲ್ಲ ತಿಳಿದುಕೊಂಡ ಹಾಗೆ ಕಾಣಿಸುತ್ತದೆ.

ಶ್ರೀ ಎಚ್. ಗಂಗಾಧರನ್—ನಾನು ಹೇಳುವುದು, ಮದುವೆಯಾಗಿರುವವರಿಗೆ ಹೆಂಡತಿ ಮಕ್ಕಳಿರುತ್ತಾರೆ. ಎಲ್ಲಾದರೂ ಪ್ರವಾಸ ಹೋಗಬೇಕಾಗುತ್ತದೆ ಎಂದು.

ಶ್ರೀಮತಿ ಎಸ್. ಪ್ರಮೀಳಾ—ನಮಗೆ ಅಕ್ಕತಂಗಿಯರಿರುತ್ತಾರೆ.

ಶ್ರೀ ಎಚ್. ಗಂಗಾಧರನ್—ರಜಾ ಕೊಡಿ ಎಂದು ನಾನು ನಿಮ್ಮ ಪರವಾಗಿಯೇ ವಾದಿಸುತ್ತಿದ್ದೇನೆ. ರೆಂಟ್ ಕಂಟ್ರೋಲ್ ಆಕ್ಟ್ ಕಕ್ಷೆಯಲ್ಲಿ ಬರುವ ಕೇಸುಗಳನ್ನು ಬೇಗ ಇತ್ಯರ್ಥ ಪಡಿಸಬೇಕೆನ್ನುವ ಉದ್ದೇಶ ಸರ್ಕಾರಕ್ಕಿದ್ದರೆ ಬೆಂಗಳೂರು, ಮಂಗಳೂರು, ಮೈಸೂರು, ಧಾರವಾಡ ಮತ್ತು ಬೆಳಗಾವಿ ನಗರಗಳಲ್ಲಿ ಪ್ರತ್ಯೇಕ ನ್ಯಾಯಾಲಯಗಳನ್ನು ಸ್ಥಾಪನೆ ಮಾಡಬೇಕು. ಸ್ಮಾಲ್ ಕಾಸ್ ಮತ್ತು ರೆಂಟ್ ಕಂಟ್ರೋಲ್ ಕಕ್ಷೆಯಲ್ಲಿ ಬರುವ ಕೇಸುಗಳನ್ನು, ಎರಡೂವರೆ ಸಾವಿರ ರೂಪಾಯಿಗಳ ಸಂಬಳ ಪಡೆಯುವ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಕೋರ್ಟಿನ ನ್ಯಾಯಾಧೀಶರಿಗೆ ಕೊಡುತ್ತಾ, ಹೋದರೆ ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ಕೊಡುವುದಕ್ಕೆ ಹೇಗೆ ಸಾಧ್ಯವಾಗುತ್ತದೆ ? ಬೇಕಾದರೆ ಇದರಲ್ಲಿ ಮುನ್ಸೀಫ್ ಕೋರ್ಟ್‌ನ್ನೇ ಫೈನಲ್ ಎಂದು ಮಾಡಿ. ಅದೇನೇ ಆದರೂ ರೆಂಟ್ ಕಂಟ್ರೋಲ್ ಆಕ್ಟ್ ಕಕ್ಷೆಯಲ್ಲಿ ಬರುವ ಕೇಸುಗಳಿಗೆ ಪ್ರತ್ಯೇಕ ನ್ಯಾಯಾಲಯಗಳನ್ನು ಮಾಡುವುದು ಒಳ್ಳೆಯದು,

ಕೊನೆಗೆ, ಶ್ರೀ ಟಯರ್ ಸಿಸ್ಟಂನ್ನು ತೆಗೆದು ಹಾಕಿದರೆ ಸ್ಪೀಡೀ ಜಸ್ಟೀಸ್ ಕೊಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಒಂದು ವೇಳೆ ಹಾಗೆ ಮಾಡಬೇಕೆಂದು ಸರ್ಕಾರದ ಉದ್ದೇಶವಿದ್ದರೆ, ರಾಜ್ಯಾದ್ಯಂತ ಇದನ್ನು ಅನ್ವಯಿಸಿ, ಸಮಗ್ರವಾದ ಕಾನೂನನ್ನು ತಂದರೆ ಒಳ್ಳೆಯದೆಂದು ಹೇಳಿ, ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

೭—೦೦ ಪಿ.ಎಂ.

ಶ್ರೀ ಆರ್. ಗುಂಡೂರಾವ್.—ಮಾನ್ಯ ಸದಸ್ಯರುಗಳು ಹೇಳಿದಹಾಗ ಈಗ ೭ ಗಂಟೆ ಆಯಿತು. ಈ ಕಡೆ ಆ ಕಡೆ ಲಾಯರುಗಳು ಇದ್ದಾರೆ. ಇವನ್ನು ಕೂಡ ಒಂದು ಕೋರ್ಟ ಅಂತ ಮಾಡಿಕೊಂಡು ಮಾತನಾಡುವುದಕ್ಕೆ ಹೋಗುತ್ತಾರೆ. ನಾಳೆ ೯ ಗಂಟೆಗ ಸೇರುತ್ತೇವೆ. ಉಳಿದ ಬಿಲ್‌ಗಳನ್ನು ನಾಳೆ ತೆಗದು ಕೊಂಡು ಮುಗಿಸಬಹುದು.

ಶ್ರೀ ಬಿ. ಭಾಸ್ಕರ ಶೆಟ್ಟಿ.—ಮೂರು ಮಸೂದೆಗಳು ಇವತ್ತು ಪಾಸಾಗಲೇಬೇಕು.

ಶ್ರೀ ಆರ್. ಗುಂಡೂರಾವ್.—ಮೂಲಭೂತವಾದ ಪ್ರಶ್ನೆಯನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಗಂಗಾಧರನ್ ಅವರು ಎತ್ತಿದ್ದಾರೆ.

ಶ್ರೀ ಜೆ. ಹೆಚ್. ಪಟೇಲ್.—ನಾನು ತಿದ್ದುಪಡಿ ಕಳುಹಿಸಿದ್ದೇನೆ. ಅದನ್ನು ಒಪ್ಪಿಕೊಂಡರೆ ಚರ್ಚೆಯಿಲ್ಲದೆ ಮುಗಿಸಬಹುದು.

ಶ್ರೀ ಆರ್. ಗುಂಡೂರಾವ್.—ನಾಳೆ ೯ ಗಂಟೆಗೆ ಸೇರುತ್ತೇವೆ. ಒಂದು ಗಂಟೆವರೆಗೆ ಕೂತು ಎಲ್ಲ ಮಸೂದೆಗಳನ್ನು ಮುಗಿಸೋಣ. ಈ ಮಸೂದೆ ಬಗ್ಗೆ ಕಾನೂನು ಮಂತ್ರಿಗಳು ಕೂಡ ಆಲೋಚನೆ ಮಾಡಬಹುದು. We can sit for 15 minutes more tomorrow and finish this Bill.

SRI H. C. SRIKANTAIAH.—There is one non-controversial Bill. We may take up now.

SRI R. GUNDU RAO.—That is a controversial Bill. We cannot agree for that.

SRI H. C. SRIKANTAIAH.—There is a Central Act...

SRI R. GUNDU RAO.—We will taker more time regarding that Bill.

ಶ್ರೀಮತಿ ಎಸ್. ಪ್ರಮಿಳ.—ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ಈ ಕಡೆ ಲಾಯರುಗಳು ಇದ್ದಾರೆಂದು ಕೈತೋರಿಸಿ ಲಘುವಾಗಿ ಹೇಳಿದರು. ನಾವುಗಳು ಲಾಯರುಗಳಾಗಿದ್ದರೂ ಈ ಮನೆಯ ಸದಸ್ಯರುಗಳಾಗಿ ಬಂದಿದ್ದೇವೆ. ಗೌರವ ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

SRI R. GUNDU RAO.—I am not a Lawyer but I am a better client than you.

SRI L. G. HAVANUR.—I think there is unanimity in so far as the importance of the major benfits are concerned. There seems to be a little dis-satisfaction with some of the Members because we have reduced the vacation f om 60 to 30 days. In other respects, I believe, all are unanimous.

The hon. Mem er Sri A. Lakshmi Sagar said that the writ petition is pending before the High Court challenging the validity of the provision concerning the abolition of the vacation and it is better that that clause is d leted. My submission is, as has been rightly said by Sri V. M. Kushnoor, in the event of abolition of the clause or leaving that clause from the Bill, the writ petition now pending before the High Court will become infructuous and we will be deprived of the esteemed and valuable opinion of the Hon'ble High Court could give on that clause.

Hon. Sri A Lakshmi Sagar has further said that on a certain matter, the Supreme Court gave its opinion although there was no law as such. My submission to the House is, that while there is specific provision under Article 143 for the President to seek the opinion of the Supreme Court there is no provision or similar provision in the Constitution by which the Governor or the State Government could seek the opinion of the High Court. Even so, it appears Mr. A. Lakshmi Sagar referred to....

SRI P. RAMDEV.—Whether the Hon. Minister is giving a reply to the debate which is not yet concluded ? We have not yet expressed our opinion. Let him give his reply tomorrow.

SRI A. LAKSHMI SAGAR.—There was a case when I was a Corporation Councillor. They passed the budget in contravention of the then Municipal Corporation Act *i. e.*, Bangalore City Municipal Act. I challenged it ; but in the meanwhile, a writ petition came up for hearing. By that time, the matter complained of was already over. Then the Hon. High Court said-"The matter is over, What can be done ? what is the point in decidi g the case ?" Then I insisted the High Court may express its opinion on the legal point that is involved in the case. The High Court of Karnataka did express its opinion on the interpretation of a particular Section of the Bangalore City Municipal Corporation Act. This is for your kind information.

Members joining the Karnataka Congress Legislature Party

Announcement

MR. SPEAKER.—I have received letters from Sriyuths : M. S. Katagi, K. L. Mariswamy and Yadav Rao stating that they have joined the Karnataka Congress Legislature Party. I have also received letters from Sri D. Jayadevaraj Urs, Secretary, Karnataka Congress Legislature praty stating that Sri M. S. Katagi, Sri K. L. Mariswamy and Sri Yadav Rao have been admitted to the Karnataka Congress Legislature Party.

Arrangements will be made to change their seats.

Now the House stands adjourned to meet at 9 A.M. tomorrow.

The House adjourned at Five Minutes past Seven of the Clock to meet on Saturday, the 22nd September 1979 at Nine of the Clock.